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Attorneys for Defendant ALAMEDA  
COUNTY MEDICAL CENTER

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JOHN HUTCHENS, ZAMORA MOTON, )  
Plaintiffs, )  
vs. )  
ALAMEDA COUNTY MEDICAL CENTER, )  
and DOES 1-20, )  
Defendants. )

Case No.: 07 CV 05600 SBA  
Related case: 06 CV 06870 SBA

**ALAMEDA COUNTY MEDICAL  
CENTER'S  
NOTICE OF WITHDRAWAL OF  
MOTION TO DISMISS ORIGINAL  
COMPLAINT WITHOUT PREJUDICE**

Complaint filed on November 2, 2007

**TO PLAINTIFFS AND ALL OTHER PARTIES AND THEIR ATTORNEYS OF  
RECORD:**

**PLEASE TAKE NOTICE THAT** defendant ALAMEDA COUNTY MEDICAL  
CENTER (hereafter "ACMC") will and hereby does withdraw, without prejudice, its motion to  
dismiss all causes of action alleged in the Complaint for Damages and Injunctive Relief. After  
ACMC filed its motion to dismiss, plaintiffs JOHN HUTCHENS, ZAMORA MOTON and BABY  
S. (hereafter "Plaintiffs") filed an Amended Complaint for Damages and Injunctive Relief  
(hereafter "Amended Complaint") on March 4, 2008. ACMC disputes that the Amended

1 Complaint cures the defects ACMC identified in its original motion to dismiss, and ACMC  
2 withdraws its motion to the original Complaint without prejudice to filing another motion to  
3 dismiss any or all claims in the Amended Complaint, whether on the same or different grounds as  
4 previously asserted in ACMC's motion to dismiss the original Complaint.

5 DATED: March 13, 2008

6 BOORNAZIAN, JENSEN & GARTHE  
A Professional Corporation

7  
8 By: /s/ Jill Sazama, Esq.  
9 JILL P. SAZAMA, ESQ.  
10 Attorneys for Defendant  
ALAMEDA COUNTY MEDICAL  
CENTER

11 24981\428025

**PROOF OF SERVICE BY ELECTRONIC SERVICE**

I, the undersigned, declare as follows:

I am employed in the County of Alameda, State of California. I am over the age of 18 years and not a party to the within action. My business address is 555 12th Street, Suite 1800, P. O. Box 12925, Oakland, California 94604-2925.

On the date indicated below, at the above-referenced business location, I served the **ALAMEDA COUNTY MEDICAL CENTER'S NOTICE OF WITHDRAWAL OF MOTION TO DISMISS THE ORIGINAL COMPLAINT** on the below-named party and caused said document to be transmitted using ECF as specified by General Order No. 45 to the following party:

Frances S. Kaminer, Esq.  
Walter K. Pyle, Esq.  
LAW OFFICES OF WALTER K. PYLE  
2039 Shattuck Avenue, Suite 202  
Berkeley, CA 94704  
Telephone: 510-849-4424

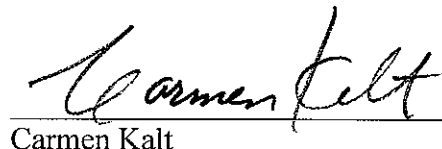
**Attorneys for Plaintiffs**  
**JOHN F. HUTCHENS, and BABY S.A., by**  
**John F. Hutchens**

David Beauvais, Esq.  
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Oakland, CA 94612  
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**Attorneys for Plaintiff**  
**ZAMORA MOTON**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at Oakland, California, on March 13, 2008.



Carmen Kalt

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